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FILED

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NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

ORIGINAL

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF :

SAMUEL KAPLOWITZ, D.C.
License No. MC 3294

TO PRACTICE CHIROPRACTIC
IN THE STATE OF NEW JERSEY

Administrative Action
CONSENT ORDER

This matter was opened to the New Jersey State Board of Chiropractic Examiners upon receipt of information which the Board has reviewed and the parties wishing to resolve this matter without further formal proceedings, hereby stipulate to the following facts and conclusion of law.

FINDINGS OF FACT

1. Respondent, Samuel Kaplowitz, D.C., is a chiropractic physician in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On or about July 23, 2004, Respondent entered into a Consent Order in which he agreed to pay a civil administrative penalty in the amount of \$30,250.00 to the Department

of Banking and Insurance through the Office of the Insurance Fraud Prosecutor for the knowing submission of thousands of patient claims over several years to Horizon Blue Cross/Blue Shield which contained inappropriate billing codes, in violation of N.J.S.A. 17:33A-1 et seq.; and which had resulted in his receipt of \$214,270.14 in reimbursement for chiropractic treatments to which he was not entitled. (Copy of the Consent Order annexed hereto and made a part hereof)

3. Respondent having made restitution in an amount agreed to by Horizon Blue Cross/Blue Shield, the Board finds the within order adequately protective of the public health, safety and welfare.

CONCLUSIONS OF LAW

1. The above Consent Order provides grounds for the suspension of Respondent's license to practice chiropractic in New Jersey pursuant to N.J.S.A. 45:1-21(k), in that Respondent is the subject of a final administrative order that imposes civil penalties against him under N.J.S.A. 17:33A-1 et seq.

ACCORDINGLY, IT IS on this 21st day of September, 2005

ORDERED AND AGREED that:

1. Respondent's license to practice chiropractic in the State of New Jersey be and hereby is suspended for a period of three (3) years, which shall be stayed, and become a period of probation. Such stayed period of suspension shall be activated upon a showing of Respondent's non-compliance with any of the terms and conditions set forth herein.

2. Respondent shall be, and hereby is reprimanded for his violation of N.J.S.A. 45:1-21(k).

3. Respondent is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of \$500.00. Payment shall be by certified check or money order made payable to the State of New Jersey, and shall be sent to: Kevin B. Earle, Executive Director, Board of Chiropractic Examiners at 124 Halsey Street, Sixth Floor, P.O. Box 45004, Newark, New Jersey 07101, no later than ten (10) days from the entry of this Consent Order. Subsequent violations will subject Respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

4. The Directives of the Board applicable to any Chiropractic Board licensee who is suspended, revoked or whose surrender of licensure has been accepted are incorporated by reference as though fully set forth herein, whether or not they are attached hereto..

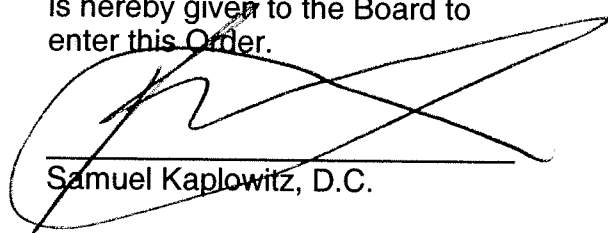
5. Failure to comply with any provisions of this Order or remit any and all payments required by this Order will also result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF
CHIROPRACTIC EXAMINERS


By


Joseph Louro, D.C.
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.


Samuel Kaplowitz, D.C.

This order is hereby agreed to as to its form and entry.


Richard C. Szuch, Esq.,
Counsel for Respondent